

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

PETER J. MILLER, an individual,
CLIFFORD HOYT, an individual, and
CAMBRIDGE RESEARCH AND
INSTRUMENTATION, INC.,
a Delaware corporation,

Plaintiffs,

v.

PATRICK TREADO, an individual, and
CHEMIMAGE CORP., a Delaware
corporation,

Defendants.

Civil Action No. 05-10367-RWZ

**[ASSENTED-TO]
COMBINED MOTION AND MEMORANDUM IN SUPPORT THEREOF
TO IMPOUND PURSUANT TO LOCAL RULE 7.2
PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION [D.E. 100] TO AMEND THE SCHEDULING ORDER,
ALL DECLARATIONS THEREOF, AND EXHIBITS 5-13 THERETO**

Plaintiffs Cambridge Research and Instrumentation, Inc., Peter J. Miller, and Clifford Hoyt (collectively, "CRI" or "plaintiffs"), by their attorneys COHEN, PONTANI, LIEBERMAN & PAVANE, hereby move the Court under LR 7.2 and the Stipulated Protective Order in this litigation to impound PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO AMEND THE SCHEDULING ORDER, the Declaration of Mher Hartoonian in support thereof, and Exhibits 5, 6, 7, 8, 9, 10, 11, 12, and 13 thereto.

Because defendants have agreed to the relief requested herein, the granting of the requested relief is within the Court's discretion, and a full memorandum under LR 7.1(b)(1), including citation of supporting authorities, is not required.

[Assented-To] Motion/Memo to Impound under LR 7.2
Plaintiffs' Opp. to Defendants' Motion [D.E. 100],
All Declarations thereof, and Exhibits 5-13 thereto

In support, plaintiffs state as follows:

1. PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO AMEND THE SCHEDULING ORDER, the Declaration of Mher Hartoonian in support thereof, and Exhibits 5, 6, 7, 8, 9, 10, 11, 12, and 13 thereto, have been designated "CONFIDENTIAL", and/or describe and/or characterize documents and/or testimony that have been so designated, in accordance with the Stipulated Protective Order [D.E. 38-2] in the present case.

2. Thus, plaintiffs request, with defendants' assent, that the Court order the impoundment of PLAINTIFFS' OPPOSITION, the Declaration of Mher Hartoonian, and Exhibits 5, 6, 7, 8, 9, 10, 11, 12, and 13 thereto, pursuant to LR 7.2, which impoundment shall last until further order of the Court.

3. Pursuant to LR 7.1(a)(2), defendants have indicated their assent.

4. Pursuant to LR 7.2(a), plaintiffs suggest PLAINTIFFS' OPPOSITION, the Declaration of Mher Hartoonian in support thereof, and Exhibits 5, 6, 7, 8, 9, 10, 11, 12, and 13 thereto be returned to plaintiffs' custody after the period of impoundment.

5. Pursuant to instructions from the Clerk of the Court, copies of PLAINTIFFS' OPPOSITION, the Declaration of Mher Hartoonian in support thereof, and all exhibits thereto will be filed with the Court upon entry of the instant motion to impound.

WHEREFORE, plaintiffs respectfully request, with defendants' assent, that the Court:

A. Issue an order impounding:

- PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION [D.E. 100] TO AMEND THE SCHEDULING ORDER;

[Assented-To] Motion/Memo to Impound under LR 7.2
Plaintiffs' Opp. to Defendants' Motion [D.E. 100],
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- the Declaration of Mher Hartoonian in support thereof, and
- Exhibits 5, 6, 7, 8, 9, 10, 11, 12, and 13 thereto.

B. Grant such further and other relief as this Court deems just, equitable and proper.

Respectfully submitted,

**PETER J. MILLER, CLIFFORD HOYT,
and CAMBRIDGE RESEARCH AND
INSTRUMENTATION, INC.,**

By their attorneys:

Dated: March 2, 2007

/s/ Teodor Holmberg
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion to Impound Pursuant to LR 7.2 filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on March 2, 2007.

The Motion to Impound requests that the following documents be sealed:

- PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION [D.E. 100] TO AMEND THE SCHEDULING ORDER;
- the Declaration of Mher Hartoonian in support thereof; and
- Exhibits 5, 6, 7, 8, 9, 10, 11, 12, and 13 thereto.

PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION [D.E. 100] TO AMEND THE SCHEDULING ORDER and all declarations and exhibits thereto are being served on March 2, 2007, via e-mail, on:

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/s/ Teodor Holmberg
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